

In the Claims:

Please cancel claims 2-39. The claims and their status are shown below.

1. (Original) A plant containing a recombinant nucleic acid construct comprising a nucleic acid encoding a cytosolic ACCase operably linked to a promoter, wherein said construct lacks a nucleic acid encoding a transit peptide operably linked to said nucleic acid encoding said cytosolic ACCase, wherein said plant produces seeds that exhibit a statistically significant increase in oil content as compared to seeds produced by a corresponding plant lacking said nucleic acid construct.

2-39. (Canceled)